



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

June 25, 2012

Ms. Romona Smith
U.S. EPA, Region 5
77 West Jackson Blvd. (SB-7J)
Chicago, IL 60604-3507

Dear Ms. Smith:

The City of Danville has requested a petroleum eligibility determination for seven sites; their names and locations are identified below. Based on statements made by the City of Danville and its consultant (Fehr-Graham) and a review of Illinois EPA records, the Illinois EPA has determined the following:

The seven sites are of "relatively low risk," as compared with other petroleum-only sites in Illinois. The sites are not being cleaned up using LUST trust fund monies and are not subject to a response under the Oil Pollution Act.

No judgment in a court of law or an administrative order has been issued by an administrative body that would require the responsible party to assess, investigate, or clean up the sites; no filed enforcement action has been brought by federal or state authorities; and, there is no citizen suit, that would, if successful, require that party to assess, investigate, or clean up the sites. It is unknown whether that party is financially capable of satisfying obligations under federal or state law to assess, investigate, or clean up the sites.

The City of Danville is a volunteer who is not potentially liable for the petroleum contamination. The City of Danville has not caused or contributed to the petroleum contamination. According to Illinois EPA records, the seven sites are not subject to any order issued under 9003(h) of the Solid Waste Disposal Act.

Based on these assertions, the following sites are eligible:

Smith Auto Repair	401 N. Vermilion	PIN: 23-05-406-028
Former Smith Olds Dealership	422 N. Vermilion	PIN: 23-05-320-055
Former Sixten Tap	600 N. Vermilion	PIN: 23-05-318-034
Parcel adjacent to Sixten Tap	602 N. Vermilion	PIN: 23-05-318-033
Former Dealership	807 N. Vermilion	PIN: 23-05-401-010
Martin Property	3628 N. Vermilion	PIN: 18-20-200-015
Schaefer Brothers	1 N. Logan Ave.	PIN: 23-08-108-024

The information reviewed above is consistent with the determinations set forth in Section 101(39)(d)(II)(bb) of CERCLA.

If you have any questions, please contact me at 217-785-4729 or at heather.nifong@illinois.gov.

Sincerely,

Heather Nifong
Programs Advisor
Division of Remediation Management

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